UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	**CAUSE NO. EP-16-CR-2056-PRM-1**
	)	
DIMAS JUAN ANTONIO RODRIGUEZ-GONZALEZ	)	
	)	

DEFENDANT'S AMENDED NOTICE OF GROUNDS FOR VARIANCE REQUEST

Defendant DIMAS JUAN ANTONIO RODRIGUEZ-GONZALEZ, through his attorney, hereby provides notice of the grounds on which he intends to request a variance from the recommended *Guidelines* range in this case.

In keeping with this Court's request that it receive advance notice of any grounds on which a variance from the recommended *Guidelines* range may be sought, the following grounds are hereby identified as a basis for such a request in this case:

(1) History and characteristics of defendant (cultural assimilation (entered at age 11 with significant U.S. citizen family), injuries sustained during present re-entry, entry out of desire to reunite with family present in United States, 4-level upward adjustment based on single, non-violent theft offense with sentence imposed of 10 months, 2 criminal history points assigned for driving without a valid license); and

(2) Nature and circumstances of the offense (non-violent, prior sentence of illegal re-entry of 6 months with current recommended sentence 5 times greater at minimum, revocation sentence substantially increases potential sentence exposure for single act of misconduct by adding 2 criminal history points in addition to possible revocation sentence).

Very truly yours,

MAUREEN FRANCO
Federal Public Defender
/s/
MICHAEL GORMAN
Assistant Federal Public Defender
Western District of Texas
700 E. San Antonio, D-401
El Paso, Texas 79901
(915) 534-6525
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of March, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Mr. Carlos Gerardo Hermosillo
Assistant U.S. Attorney
700 E. San Antonio, Suite 200
El Paso, Texas 79901

/s/
____
Michael Gorman
Attorney for Defendant